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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/678,334

10/03/2003

Armin Denner

4452-576

2557

27799

7590

06/15/2005

COHEN, PONTANI, LIEBERMAN & PAVANE

551 FIFTH AVENUE

SUITE 1210

NEW YORK, NY 10176

EXAMINER

PHAN, HAU VAN

ART UNIT

PAPER NUMBER

3618

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/678,334

Applicant(s)

DENNER ET AL.

Examiner

Hau V Phan

Art Unit

3618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 9-11 and 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12, 13 and 16-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/3/03, 4/18/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election of group II, figure 2, claims 1-8, 12-14 and 17-19 in the reply filed on 5/23/2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 10-11 and 15-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 5/23/2005.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 10/3/2003 and 4/18/2005 have been considered.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-8, 12-14 and 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Heyden et al. (6,388,348).

Heyden et al. in figures 1 and 3, disclose a drive system (10) for a motor vehicle. The drive system comprises a drive shaft (12), a centrifugal mass (24) mounted on the drive shaft for rotation about an axis and being profiled with an axial receiving space. Heyden also discloses an electrical machine (48) comprising a rotor (54) mounted on the centrifugal mass and a stator (46) arranged radially with respect to the rotor. Heyden also discloses at least one component accommodated in the receiving space.

Regarding claim 2, Heyden et al. discloses the electrical machine, which is mounted on a side of the centrifugal mass, which is mounted to the drive shaft.

Regarding claim 3, Heyden et al. discloses a housing (74) having at least one part. The centrifugal mass and the electrical machine being arranged in the housing.

Regarding claim 4, Heyden et al. discloses a stator bracket (not number, as shown in figure 1), which attaches the stator to the housing.

Regarding claim 5, Heyden et al. discloses a cooling channel (not number, as shown in figure 1) in the stator bracket.

Regarding claim 6, Heyden et al. discloses the stator bracket bounds the receiving space radially.

Regarding claim 7, Heyden et al. discloses the centrifugal mass comprising a radially inner first area, a radially outer second area, and a third area connecting the first and second areas, which are offset both radially and axially.

Regarding claim 8, Heyden et al. discloses the first area and the third area that bound two sides of the receiving space.

Regarding claim 12, Heyden et al. discloses a clutch (26). The clutch comprises the component accommodated in the receiving space.

Regarding claim 13, Heyden et al. discloses the clutch comprising a clutch disk (40) arrangement. The clutch disk arrangement comprises the component in the receiving space.

Regarding claim 14, Heyden et al. discloses the clutch comprising an actuating device (as shown in figure 1). The actuating device comprises the component accommodated in the receiving space.

Regarding claim 16, Heyden et al. discloses a housing (74) having at least one part. The centrifugal mass and the electrical machine being arranged in the housing, and a stator bracket attaching the stator to the housing. The stator bracket has an inner surface. The actuator comprises a cylinder formed by the inner surface.

Regarding claim 17, Heyden et al. discloses a diaphragm spring (34), which is accommodated in the receiving space.

Regarding claim 18, Heyden et al. discloses the at least one component comprising at least one torsion damper (36).

Regarding claim 19, Heyden et al. discloses the electrical machine, which is a starter-generator.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bird discloses a carrier vehicle for seismic vibrational system, Tamai et al. disclose a hybrid electric drive and control method therefor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau V. Phan whose telephone number is 571-272-6696. The examiner can normally be reached on 7:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christ Ellis can be reached on 571-272-6914. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hau V Phan
6/3/05

Hau V Phan
Primary Examiner
Art Unit 3618